

Pender County Planning and Community Development

Planning Division

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MINUTES

**Pender County Planning Board Meeting
Tuesday, March 1, 2016 7:00 p.m.
Pender County Public Meeting Room
805 S. Walker Street, Burgaw, North Carolina**

Call to Order: Chairman Williams called the meeting to order at 7:10 pm

Roll Call: Chairman Williams

Pender County Planning Board Members:

Williams: Fullerton: Baker: Edens: McClammy: Nalee:

- 1. Adoption of the Agenda:** Vice-Chairman Fullerton made the motion to adopt the agenda as presented; seconded by Board member McClammy. The vote was unanimous.
- 2. Adoption of the Minutes: (February 2, 2016)** Vice-Chairman Fullerton made the motion to adopt the minutes; seconded by Board member Edens. The vote was three (3) in favor of the motion with Board members McClammy and Nalee abstaining from voting due to their absence. Due to not having a majority vote, the request to adopt the February 2, 2016 Planning Board minutes would be included on the April meeting agenda.
- 3. Public Comment:** No sign-ups for public comment.

(Public Hearings Open)

4. Master Development Plan:

Signature Top Sail NC, LTD, applicant, on behalf of Capstone Ventures LLC., Ruth C. Kalmar Lewis et al, J L Morris Enterprises of Hampstead Inc., Morris Jeffrey et al, and Signature Top Sail NC, LTD, owners, requested a revision to the previously approved Master Development Plan for the mixed use proposal known as Wyndwater. Specifically the request was to; increase the overall project area from \pm 150.78 acres to \pm 204.07 acres, increase the total units from \pm 350 units to \pm 500 units, increase project density from 3.1 units to 3.13 units per acre and to amend the front yard setback from twenty to fifteen feet. The subject property is zoned PD, Planned Development zoning district. The properties are located to the north of Doral Drive (SR 1693), northwest of Sloop Point Loop Road (SR 1563), south and east of Cardinal Acres Lane (private) in the Topsail Township. The property may be further identified by Pender County PINs; 4214-04-6027-0000, 4214-22-2361-0000, 4214-31-1640-0000, 4213-59-0181-0000, 4214-12-3906-0000, 4214-22-7567-0000, 4214-04-9162-0000, 4214-23-2200-0000 and portion of the property located at 4214-50-8387-0000. Chairman Williams stated that the Legal Notice and Agenda were incorrect; the request was to amend the front yard setback not the side yard. Director Breuer explained that the correct information was included in the notifications mailed to adjoining property owners. Senior Planner O'Hare presented and gave detailed background including the previous approved conditions on agenda item four (4). Board member McClammy asked for the purpose of clarification, that the Board had previously approved six (6) conditions, was staff

recommending approval of an additional four (4) conditions; Senior Planner O'Hare answered yes. Chairman Williams asked if the previously approved conditions had been met; Senior Planner O'Hare answered that there was nothing outstanding from the previously approved conditions. Board member McClammy asked if the development being presented was the largest residential development underway in Pender County; Director Breuer answered yes, that it is the largest that is currently underway. Mike Pollak, applicant, thanked the Board for continuing to grow with them, that the project is growing. Mr. Pollak stated that he could answer any questions the Board may have, but had nothing further to add to staff's well-presented presentation of the request. Chairman Williams asked Mr. Pollak if he would be able to meet the conditions requested by staff; Mr. Pollak answered that they would have no problem with meeting the requested conditions. Chairman Williams reviewed the requested revisions; Mr. Pollak addressed the setback revision by stating that they were not trying to change the plan, but they foresee problems with the development of the cul-de-sac and alley lots based on the approved setbacks. Vice-Chairman Fullerton asked what the intent of the open space shown on the plan; Senior Planner O'Hare asked if Vice-Chairman Fullerton was referring to the open space located between the private and public right of way; Director Breuer answered yes. Senior Planner O'Hare stated that she believed it was the developer's intent to have benches installed to overlook the pond facility at that location. Russell Ferro, 233 W. Craftsman Way, Hampstead, asked the applicant to expand on the setback revision request, Mr. Pollak further explained the request to Mr. Ferro and pointed out on the provided site map the lots that would be affected by the revision. Mr. Ferro asked if the traffic impact data was available for the public; Senior Planner O'Hare stated that staff could provide that information. Mr. Ferro asked if there would be more connection to US HWY 17; David Greer, applicant, explained the road network goal. Director Breuer offered contact information to Mr. Ferro so that he could meet with staff and review the TIA for the presented project. Due to there being no further sign-ups or questions Chairman Williams closed the Public Hearing; the Board held a brief discussion.

Vice-Chairman Fullerton made a motion to approve the requested Master Development Plan Revision as presented; seconded by Board member Edens. Board member McClammy asked if the intent of the motion was to include the previous six (6) and the new recommended four (4) conditions; Vice-Chairman Fullerton answered yes. The vote was unanimous.

5. Pender County Collector Street Plan:

Pender County held a public hearing on the Pender County Collector Street Plan. Following the public hearing, it was requested that the Planning Board make a recommendation for adoption. Director Breuer presented and gave background information for agenda item five (5). Director Breuer thanked staff, the consultant, Chairman Williams, and Board member Edens for all of their hard work on developing the plan. Director Breuer stated that he would take the Planning Board's recommendation before the Board of Commissioners on March 21, 2016 for adoption. Brief discussion ensued regarding the boundaries of the plan and the policies. Due to no sign-ups or any further questions from the Board, Chairman Williams closed the public hearing.

Board member McClammy made a motion to approve the recommendation for adoption of the Pender County Collector Street Plan as presented; seconded by Vice-Chairman Fullerton. The vote was unanimous.

(Public Hearings Closed)

Director Breuer gave a brief background and introduction of the Planning Department's new Planner II Long Range Planner, Jessica Fiester; the Board welcomed Ms. Fiester.

Chairman Williams recognized Director Breuer for receiving the Planner of the Year award from the Cape Fear Council of Governments; the Board congratulated Director Breuer.

6. Discussion Items:

a. Planning Staff Items: (Items from Work Session Agenda)

- i. Zoning Text Amendment Update:
Senior Planner O'Hare stated that at this point staff was still researching and determining best practices for the private right of way connection standards and cul de sac radius requirements, but the other topics discussed at the last meeting were moving toward completion; Senior Planner O'Hare reviewed the memo provided to the Board detailing the completion. Lengthy discussion took place between Board members and Tommy Batson, Pender County Fire Marshall regarding the various cul de sac radius requirements throughout neighboring jurisdictions and the Department of Transportation and the difference between Building and Fire codes.

- ii. Comprehensive Land Use Plan Update:
Director Breuer gave a brief review of the memo provided to the Board and stated that staff would present the consultant contract to the Board of Commissioners on March 21, 2016 for approval and staff's goal would be to have the plan completed in June 2017. Board member Nalee asked what the final price came to; Director Breuer replied the amount staff had budgeted for.

- b. Planning Board Members Items:** Board member Nalee asked if any changes had been made to the approved Wyndwater plan for the emergency connection to Doral Drive, that is shown on the Master Development Plan known as Wyndwater; Senior Planner O'Hare explained the approved plan for clarification and stated that the only change would be that the connection would be made in Phase III instead of Phase I as previously approved by the Planning Board.

7. Next Meeting: April 5, 2016

8. Adjournment: 9:05 pm

The entire recording of the Planning Board Meeting is on file with the permanent records in the Planning Department office.